



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAY 06 2016

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. Michael Fields
WHPV Tanklage SPE LLC
c/o Windy Hills Property Ventures
530 Emerson Street, Suite 150
Palo Alto, California 94301

Re: USEPA Conditional Approval of the PCB Cleanup Plan for 821, 837, 853, 871, and 887 Industrial Road and 831 Bransten Road, San Carlos, California

Dear Mr. Fields:

Thank you for working with the U.S. Environmental Protection Agency, Region 9 ("USEPA") to address the disposal of polychlorinated biphenyls ("PCBs") found at the Tanklage properties located in San Carlos, California (the "Site"). USEPA has received and reviewed the *Application for Risk-Based PCB Cleanup* (the "Application") dated March 24, 2016, submitted March 30, 2015, that was prepared by PES Environmental, Inc. on behalf of the WHPV Tanklage SPE LLC. The Application under 40 CFR 761.61(c) is for the remediation and disposal of soils and other bulk materials containing PCBs at the Site as well as post-remediation verification and capping. USEPA approves WHPV Tanklage's Application with the following conditions. WHPV Tanklage shall implement the Application as modified by the conditions listed below.

USEPA Conditions of Approval and Additional Comments:

1. **Disposal of PCBs:** WHPV Tanklage shall dispose of all waste that it generates during the PCB cleanup in accordance with this Approval, TSCA PCB regulations, and other applicable federal, state, and local regulations. In determining the disposal method for the waste, WHPV Tanklage must comply with the anti-dilution requirements in 40 CFR 761.1(b). All bulk PCB remediation waste (i.e., soil) that will be disposed of offsite must be disposed of in accordance with the requirements in 40 CFR 761.61(a)(5). WHPV Tanklage must select appropriate offsite disposal facilities based on the in-situ PCB concentrations of the waste.
2. **PCB Cleanup Waste Disposal:** WHPV Tanklage shall dispose of all cleanup waste (e.g., personal protective equipment, rags, gloves, booties) in accordance with 40 CFR 761.61(a)(5)(v) and other applicable federal, state, and local regulations.
3. **Stockpiling of PCB Remediation Waste Onsite:** If PCB remediation waste is stored onsite prior to disposal, WHPV Tanklage shall store the PCB remediation waste for no more than 180 days per 40 CFR 761.65(c)(9).
4. **Future Proposed Modifications to Cleanup Plan:** WHPV Tanklage shall request any changes or clarifications to the approved cleanup plan via email to Ms. Frances Wicher at Wicher.Frances@epa.gov. Ms. Wicher will respond to the request via email.

This Approval only applies to remediation of PCBs at the Site. It does not address cleanup of any other contaminants of concern that may also be on the Site nor does it address decommissioning of the two groundwater monitoring wells currently on the Site. The Approval does not relieve WHPV Tanklage from complying with all other applicable federal, state, and local regulations and permits. Departure from the conditions of the Approval without prior written permission from USEPA may result in the commencement of proceedings to revoke this approval and/or an enforcement action. Nothing in this approval bars USEPA from imposing penalties for violations of this Approval or for violations of other applicable TSCA PCB requirements or for activities not covered under this Approval.

USEPA reserves the right to require additional characterization and/or cleanup of PCBs at the Site if new information during remediation, cleanup verification, and/or during future post-cleanup activities at the Site shows that PCBs remain at the Site above the approved PCB cleanup levels. In addition, USEPA may require cleanup of areas immediately adjacent to the Site if those areas are found to be impacted by PCBs from the Site.

This Approval expires two years from the date of this letter unless continuous remediation activities at the Site have commenced before then or WHPV Tanklage has requested and USEPA has approved an extension. WHPV Tanklage may request an extension via an email to Frances Wicher (wicher.frances@epa.gov).

USEPA appreciates the opportunity to assist WHPV Tanklage and PES with this PCB cleanup. If you have any questions regarding this Approval, please contact Frances Wicher at (415) 972-3957 or wicher.frances@epa.gov. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Scott', with a stylized flourish at the end.

Jeff Scott, Director
Land Division

cc: Carl J. Michelson, PES Environmental, Inc.
George Chow, DTSC